D.B. CIVIL SPECIAL APPEAL(W)NO.393/2006

M/s. Mittal Irrigation Center
Vs.
State of Rajasthan & Ors.

Date of Order :: 25-04-2007

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

Shri R.K. Sharma, for the appellant.
Shri H.V. Nandawana, Dy.G.A. for the State.

The dispute in this appeal arising from S.B. Civil Writ Petition no.849/2006 relates to seizure of the vehicle bearing registration no.RJ 23C 3265 on account of alleged non-payment of tax under the Rajasthan Motor Vehicles Taxation Act, 1951.

When the case was taken up, counsel for the appellant fairly stated that the appellant would like to file a representation as permitted by the Division Bench of this Court in bunch of similar appeals (O.S. Motors Ltd. Vs. State of Rajasthan & Ors.), and a direction may be issued to decide the same within a time-frame. It was submitted that as the vehicle is lying in the open and exposed to vagaries of nature and vulnerable to pilferage. Prayer is not opposed on behalf of the State.

We accordingly permit the appellant to make representation in respect of his grievance before the competent authority with a direction to the authority to decide the same, preferably, within one month of filing of the representation.

With the above direction, the appeal is dismissed.

[MOHAMMAD RAFIQ],J. **[S.N.JHA],CJ.**

Praveen